

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

RENEE BIRNBAUM and AVRUM BIRNBAUM

Plaintiffs,

v.

ETHICON, INC., ETHICON ENDO-SURGERY, INC.,
JOHNSON & JOHNSON SERVICES, and JOHNSON
& JOHNSON, KARL STORZ ENDOSCOPY-
AMERICA, INC., KARL STORZ ENDOVISION, INC.,
KARL STORZ GMBH & CO. KG, VENTION
MEDICAL, INC. (F/K/A THE MEDTECH GROUP
INC.), VENTION MEDICAL ACQUISITION CO., and
VENTION MEDICAL HOLDINGS, INC.

Defendants.

**COMPLAINT AND
DEMAND FOR JURY TRIAL**

Case No: 2:17-cv-7024

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

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NOTICE OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs, by and through their undersigned counsel, voluntarily dismisses this action without prejudice as against Defendants ETHICON, INC., ETHICON ENDO-SURGERY, INC., JOHNSON & JOHNSON SERVICES, and JOHNSON & JOHNSON.

Dated: New York, New York
December 1, 2017

By: /s Virginia E. Anello
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Attorneys for Plaintiffs

SO ORDERED: denying Stipulation of Voluntary Dismissal as to the Defendants Ethicon, Inc., Ethicon Endo-Surgery, Inc., Johnson & Johnson Services, and Johnson & Johnson without prejudice and with leave to refile. The Plaintiffs are instructed to refile the Stipulation in a manner that is consistent with this Court's Individual Rules. As stated in Individual Rule II.C., the Plaintiffs are required to submit an amended caption, reflecting the parties remaining in the case.

s/ Arthur D. Spatt

Arthur D. Spatt, U.S.D.J.

Date

3/8/18